

CITY OF GULF SHORES, ALABAMA

REQUIREMENTS FOR AWARD OF CONTRACTS, GRANTS, OR INCENTIVES BY THE CITY EFFECTIVE 01/01/2012

Under the “Beason-Hammon Alabama Taxpayer and Citizen Protection Act,” the State of Alabama requires all City contractors (including direct vendors) and their subcontractors (including subvendors) of any tier and all recipients of any City grant or incentive and their contractors and subcontractors to refrain from knowingly employing any unauthorized alien in Alabama and, as a condition for the award of any contract, grant or incentive, for the contractor, grant recipient or incentive recipient to document participation in the E-Verify program of the U.S. Department of Homeland Security.

ATTESTATION AND DOCUMENTATION AS TO EMPLOYMENT POLICIES REQUIRED BY THE CITY OF ALL CONTRACTORS, GRANT RECIPIENTS, AND INCENTIVE RECIPIENTS

As a condition to the award of any contract, grant, or incentive by the City Council, each contractor, grant recipient, or incentive recipient must provide the City Clerk with a sworn affidavit attesting that the contractor, grant recipient, or incentive recipient will not knowingly employ, hire for employment, or continue to employ any unauthorized alien within the State of Alabama. The contractor, grant recipient, or incentive recipient must also provide documentation that the contractor, grant recipient, or incentive recipient is enrolled in the E-Verify program. Failure of the contractor, grant recipient, or incentive recipient to continue to participate in the E-Verify program system and to verify every employee as required under applicable federal rules and regulations during performance of the contract, grant, or incentive will be grounds for termination of the contract, grant, or incentive.

In addition, before entering into any subcontract for the performance of a contract, grant, or incentive with the City, the contractor, grant recipient, or incentive recipient and each of its subcontractors of any tier should obtain from each of their direct subcontractors a sworn affidavit attesting that the direct subcontractor will not knowingly employ, hire for employment, or continue to employ any unauthorized alien within the State of Alabama and attaching documentation establishing that the direct subcontractor is enrolled in the E-Verify system. Failure to obtain such affidavit or knowledge of violation of the employment prohibitions of the Act by the direct subcontractor may result in liability for the contractor, grant recipient, incentive recipient, or subcontractor as provided in the Act. **The affidavits and documentation of subcontractors need not be filed with the City but should be retained by the contractor, grant recipient, incentive recipient, or subcontractor obtaining them.**

Attached as Appendix A is the form of affidavit that must be provided to the City Clerk prior to the time of award of any contract, grant, or incentive by the City of Gulf Shores.

Attached as Appendix B is a form of affidavit that can be obtained from subcontractors.

APPENDIX A
AFFIDAVIT OF CONTRACTOR, GRANT RECIPIENT, OR INCENTIVE RECIPIENT

State of _____
County of _____

Before me, a notary public, personally appeared _____ (print name) who, being duly sworn, says as follows:

As a condition for the award of any contract, grant, or incentive by the City of Gulf Shores, Alabama, I hereby attest in my capacity as _____ (state position) for _____ (state business entity/employer/contractor name) that said business entity/employer/contractor shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program under the E-Verify User Identification Number _____.

(ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

Signature of Affiant

Sworn to and subscribed before me this _____ day of _____, 2_____.

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to be.

Signature and Seal of Notary Public

APPENDIX B
AFFIDAVIT FOR SUBCONTRACTOR

State of _____
County of _____

Before me, a notary public, personally appeared _____ (print name)
who, being duly sworn, says as follows:

As a condition for acting as a contractor or subcontractor on a project paid for by contract, grant,
or incentive by the City of Gulf Shores, Alabama, I hereby attest in my capacity as
_____ (state position) for _____ (state business
entity/employer/contractor name), that said business entity/employer/contractor shall not knowingly
employ, hire for employment, or continue to employ an unauthorized alien within the State of
Alabama.

I further attest that said business entity/employer/contractor is enrolled in the E-Verify program
under the E-Verify User Identification Number _____ prior to performing any
work on the project.

(ATTACH DOCUMENTATION ESTABLISHING THAT BUSINESS
ENTITY/EMPLOYER/CONTRACTOR IS ENROLLED IN THE E-VERIFY PROGRAM)

Signature of Affiant

Sworn and subscribed before me this _____ day of _____, 2_____.

I certify that the affiant is known (or made known) to me to be the identical party he or she claims to
be.

Signature and Seal of Notary Public